

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Raymond J. Bergeron, Jr.

Title: Thiazoline Acid Derivatives

Reissue Application of U.S. Patent No. 6,083,966

Date: 10-17-01

Express Mail No. EJ09429289745

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents

Box Reissue

Washington, D.C. 20231

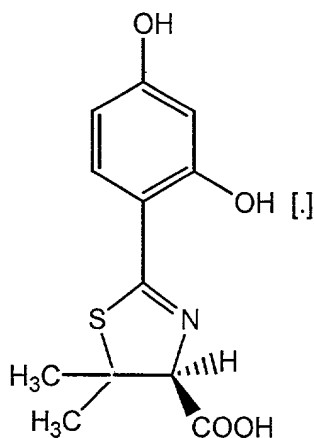
Sirs:

Please cancel Claim 23.

Please amend the following claims:

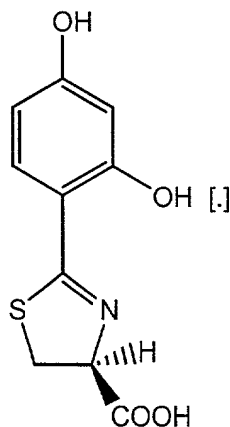
4. (Amended) A compound of claim 3 wherein R<sub>4</sub> is methyl[, ethyl, n-propyl, isopropyl, n-butyl, isobutyl or t-butyl].
6. (Amended) A compound of claim 5 wherein R<sub>4</sub> is methyl[, ethyl, n-propyl, isopropyl, n-butyl, isobutyl or t-butyl].
10. (Amended) A compound of claim 9 wherein R<sub>4</sub> is methyl, ethyl, n-propyl, isopropyl, n-butyl, isobutyl or t-butyl].
12. (Amended) A compound of claim 11 wherein R<sub>4</sub> is methyl[, ethyl, n-propyl, isopropyl or t-butyl].

13. (Amended) A compound of Claim [7] 1 wherein Z is H,  $R=R_4=R_1=R_2=R_5=H$ , and  $R_3$  is alkyl having 1-4 carbon atoms.
14. (Amended) A compound of claim [7] 1 wherein Z is CH,  $R=R_4=R_1=R_3=R_5=H$ , and  $R_2$  is alkyl having 1-4 carbon atoms.
15. (Amended) A compound of claim [7] 1 wherein Z is CH,  $R=R_4=R_3=R_2=R_5=H$ , and  $R_1$  is alkyl having 1-4 carbon atoms.
20. (Amended) An (S)-enantiomer compound [of claim 7] having the formula:



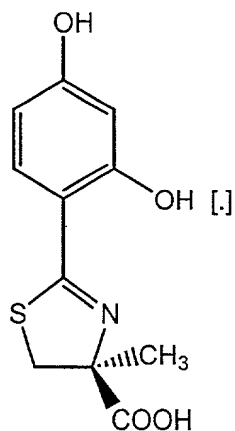
a salt thereof with a pharmaceutically acceptable acid or a pharmaceutically acceptable complex thereof.

21. (Amended) An (S)-enantiomer compound [of claim 7] having the formula:



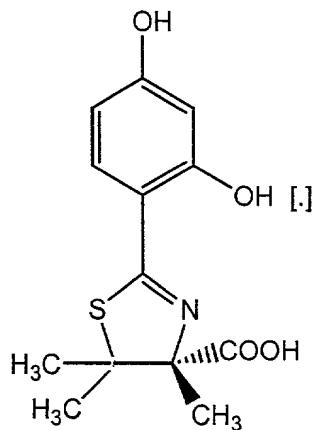
a salt thereof with a pharmaceutically acceptable acid or a pharmaceutically acceptable complex thereof.

22. (Amended) An (S)-enantiomer compound [of claim 7] having the formula:



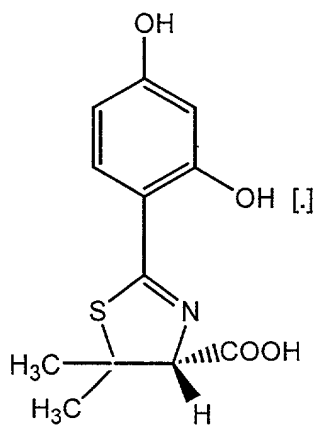
a salt thereof with a pharmaceutically acceptable acid or a pharmaceutically acceptable complex thereof.

24. (Amended) An (R) enantiomer compound [of claim 7] having the formula:



a salt thereof with a pharmaceutically acceptable acid or a pharmaceutically acceptable complex thereof.

25. (Amended) An (R)-enantiomer compound [of claim 7] having the formula:



a salt thereof with a pharmaceutically acceptable acid or a pharmaceutically acceptable complex thereof.

#### REMARKS

Claims 1-22 and 24-25 are pending in the present reissue application. Claims 1-3, 5, 7-9, 11 and 16-19 were previously issued and are not being amended in this preliminary amendment. Claim 23 is being cancelled and Claims 4, 6, 10, 12-15 and 20-25 are being amended in this preliminary amendment. Support for the amendments to these claims can be

found in the accompanying document entitled "Statement of Status and Support for All Claims". The amendments to Claims 4, 6, 10, 12-15 and 20-25 place the claim set in a more appropriate format by correcting errors made in claim form and in claim dependencies, and do not expand the scope of the claims beyond that of the originally allowed claims.

It is believed that original United States Patent No. 6,083,966 is partly or wholly inoperative or invalid because the patentee claimed more than he had a right to claim in the patent by claiming the embodiment of Claim 23. Therefore, this is a narrowing reissue application in view of the cancellation of Claim 23.

### CONCLUSION

It is submitted that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned Attorney at (978) 341-0036.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By  \_\_\_\_\_

Linda M. Chinn

Registration No. 31,240

Telephone (978) 341-0036

Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: *October 17, 2001*

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STATEMENT OF STATUS AND SUPPORT FOR ALL CLAIMS

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The following list identifies support for amended Claims 4, 6, 10, 12-15, 20-22 and 24-25 as required by 37 C.F.R. § 1.173(c). In many cases, additional support for a particular claim can be found elsewhere in the specification.

Claims 1-3, 5, 7-9, 11 and 16-19 are originally issued Claims of United States Patent No. 6,083,966 and remain pending in this reissue application.

Claim 23 has been cancelled.

Claim	Status	Support
4	Amended Pending	See Column 4, line 62
6	Amended Pending	See Column 4, line 62
10	Amended Pending	See Column 4, line 62
12	Amended Pending	See Column 4, line 62
13	Amended Pending	See Column 3, lines 10-35

Claim	Status	Support
14	Amended Pending	See Column 3, lines 10-35
15	Amended Pending	See Column 3, lines 10-35
20	Amended Pending	See Column 4, lines 9-20 and Column 5, lines 1-21
21	Amended Pending	see Column 4, lines 9-20 and Column 5, lines 1-21
22	Amended Pending	See Column 4, lines 9-20 and Column 5, lines 1-21
24	Amended Pending	See Column 4, lines 21-30 and Column 5, lines 1-21
25	Amended Pending	See Column 4, lines 21-30 and Column 5, lines 1-21

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Linda M. Chinn

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